

May 9, 1975

SENATOR CAVANAUGH: Well my comment originally when Senator Koch raised the question if it is appropriate for it to be in there, I think that we should have the Legislative amendment in there. My amendment isn't the problem. If there is a problem in the budget bill it has to do with the whole section and not my amendment. My amendment simply says that the Legislature will also approve acquisitions. This is no big change in whether or not the whole thing is constitutional or not. So, that is all that I can say. If we take it out, take it all out, and not simply my amendment. Or if we're going to write something like that in there, the Legislature should be included, that is my only position.

PRESIDENT: The question here Senator Cavanaugh is the second half of Senator Marvel's amendment. Senator Marvel I think wants your advice on what to do with that at this point.

SENATOR CAVANAUGH: Well as I understand it Senator Syas has gone and got an Attorney General's opinion and I'm not going to quarrel with Senator Syas, if it shouldn't be there take it all out of all of the bills. If we're going to put it in there, the Legislature should be included in the acquisition of property. That is all that I can say.

PRESIDENT: Senator Marvel, what do you want done with the second half of this amendment.

SENATOR MARVEL: I'll withdraw the request and try to prepare an amendment to take out the whole section.

PRESIDENT: Alright. Let the record show that the second half of this amendment has been withdrawn but the amendment up to that time has passed.

SENATOR MARVEL: Mr. Clerk...

CLERK: The next amendment is under the date of May 7th, Read amendment.

SENATOR MARVEL: Now that is Senator Bereuter's proposal and I will move the adoption of it and then I will ask him to speak to it. Were still on 607.

PRESIDENT: Senator Bereuter.

SENATOR BEREUTER: Mr. President, the language that we have now in the bill does the same thing. The only thing that the Department of Roads was concerned about is that they have the authority to pass through such money to political sub-divisions. They feel that existing language would not provide that opportunity. This language was put in here upon agreement with the Public Works Committee. It would mean that if the Federal Government was serious about the bill that they passed on January 4th of this year, relating to bill board control, that we would have an opportunity to spend first and inquire first of the expenditure of money within 660 feet until we're able to see how serious that they are and then if they are serious it would permit them upon exhausting those opportunities to move beyond it.